

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

State of Minnesota,  
by Michael Campion, its  
Commissioner of Public Safety,

File No. CV-08-603 (DWF/AJB)

Plaintiff,

and

Robert J. Bergstrom, Craig A.  
Zenobian, Shane M. Steffensen, and  
Christopher D. Jacobsen,

Plaintiffs-Intervenors,

vs.

CMI of Kentucky, Inc.,  
a Kentucky corporation,

Defendant.

**PLAINTIFF'S AMENDED MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT AND AN ORDER FOR  
SPECIFIC PERFORMANCE OR  
PERMANENT INJUNCTION, OR IN  
THE ALTERNATIVE FOR A  
PRELIMINARY INJUNCTION**

Plaintiff State of Minnesota moves the Court for partial summary judgment and an order for specific performance or

permanent injunction, or in the alternative for a preliminary injunction, with respect to Counts III and IV of the Complaint. This amended motion is made pursuant to Federal Rules of Civil Procedure 56 and 65, and is based upon the files, records, pleadings in the case, arguments of counsel, and the memoranda of law, affidavits, and proposed order to be filed in accordance with the Amended Pretrial Scheduling Order dated March 5, 2009.

Dated: April 2, 2009

LORI SWANSON  
Attorney General  
State of Minnesota

s/ **Alan I. Gilbert**

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